REMARKS

This application has been carefully reviewed in light of the Office Action dated June 28, 2004. Claims 1 to 12 are pending in the application. Claims 1 to 3, 5, 6 and 9 to 11 have been amended, and Claims 1, 5 and 9 are in independent form. Reconsideration and further examination are respectfully requested.

The Office Action objected to the Amendment dated March 29, 2004 under 35 U.S.C. § 132, for allegedly introducing new matter. It is respectfully submitted that the objection was entered in error.

Specifically, the objection somehow equated the word "flag" to computer software and/or hardware codes. However, as explained in the Amendment dated March 29, 2004, the intended meaning of the word "flag" refers to a visual indicator such as the "+" symbols 430 depicted in Figure 4. To emphasize this meaning, and in an effort to demonstrate clear support in the originally-filed application, page 7 has been amended again to refer to "visually flagging". Withdrawal of the objection is respectfully requested.

Claims 2, 6 and 10 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification.

As explained above, insofar as the rejection is based on the word "flagging", it is believed that the rejection was entered in error. However, Applicants believe that the word "indicating" is an equally apt description of the functionality of the "+" symbol in Figure 4 and have therefore substituted this term. Withdrawal of the § 112 rejection is respectfully requested.

Claims 1, 2, 4 to 6, 9, 10 and 12 were rejected under 35 U.S.C. § 102(e), or in an alternative, under § 103(a) over U.S. Patent No. 6,580,437 (Liou). Claims 7 and 8

were rejected under 35 U.S.C. § 103(a) over Liou in view of U.S. Patent No. 6,327,420 (Furukawa). Actually, the objection of Claims 7 and 8 were over Furukawa alone. However, because Claims 7 and 8 depend from claims rejected over Liou, this has been treated as a rejection over Liou in view of Furukawa. Reconsideration and withdrawal are respectfully requested.

The present invention generally concerns conceptually magnifying video browser data in a display, where the data is organized hierarchically in one or more levels, and where each of the levels includes multiple frames including a key frame. A parent level is selected, the parent level selection making visible a key frame associated with the parent level. Among its many features, the present invention provides for (i) choosing one of a parent-only and a parent-children magnification mode, (ii) conceptually magnifying, if the parent-only mode is chosen, the key frame associated with the parent level and other key frames which are also associated with the parent level, and (iii) conceptually magnifying, if the parent-children mode is chosen, the key frame associated with the parent level and key frames associated with associated child levels.

Referring specifically to the claims, independent Claims 1, 5 and 9 as amended are respectively directed to a method, an apparatus and a computer program product.

The applied art is not seen to disclose or suggest the features of the invention of the subject application. In particular, the Liou patent is not seen to disclose or suggest at least the features of (i) choosing one of a parent-only and a parent-children magnification mode, (ii) conceptually magnifying, if the parent-only mode is chosen, the key frame associated with the parent level and other key frames which are also associated

- 10 -

with the parent level, and (iii) conceptually magnifying, if the parent-children mode is chosen, the key frame associated with the parent level and key frames associated with associated child levels.

As understood by Applicants, Liou teaches a system for organizing digital videos to archive and access them at different levels of abstraction. The system uses data available from a closed-caption text along with off-the-shelf natural language processing tools to segment the video into self-contained story sections and speaker blocks. If the subject changes are marked, the system uses these points to divide the video into distinct stories which are represented as nodes attached to the root node in a tree structure and groups speaker segments belonging to a story under the story node as its children. See Liou, Abstract. Liou also describes that a mergeTree interface can be used to check similar groups obtained for correctness, move shots in and out of groups, and create new groups of similar shots. See Liou, Figures 5 and 6; and column 5, lines 44 to 46.

The Office Action designated a "collapse mode" and an "expanded mode" with reference to Figures 5 and 6 of Liou, the collapse mode having all white circles and no children nodes displayed, and the expanded mode having blackened circles with children nodes displayed. The Office Action further equated the collapse mode with the claimed parent-only mode, and the expanded mode with the claimed parent-children mode.

However, nothing in Liou is seen to disclose or suggest that, in order to conceptually magnify video browser data, a user should choose between the collapse and expanded modes designated by the Office Action. Rather, Liou merely teaches that the mergeTree interface of Figure 5 is used to edit shot groups. Accordingly, Liou is not seen to disclose or suggest (i) choosing one of a parent-only and a parent-children magnification

mode, (ii) conceptually magnifying, if the parent-only mode is chosen, the key frame associated with the parent level and other key frames which are also associated with the parent level, and (iii) conceptually magnifying, if the parent-children mode is chosen, the key frame associated with the parent level and key frames associated with associated child levels.

Moreover, it is noted that Liou is not prior art to the subject application, by virtue of Applicants' claim to foreign priority based on their Australia Application No. PQ5351, filed in Australia on January 31, 2000.
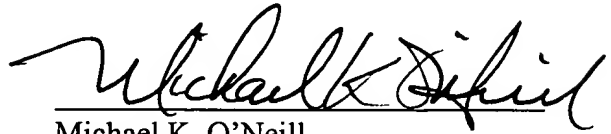
A certified copy of Australia Application No. PQ5351, which is in English, was filed in this case on May 7, 2001. Pursuant to MPEP § 201.15, the Examiner should confirm for himself that Applicants are entitled to their priority date, after which he is respectfully requested to remove Liou as a reference.

Accordingly, based on the foregoing amendments and remarks, independent Claims 1, 5 and 9 are believed to be allowable over the applied reference.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

Michael K. O'Neill
Attorney for Applicants
Registration No.: 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 86739v1

- 13 -